

1 JUDGE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,) NO. CR20-133RAJ
11 Plaintiff,) ORDER GRANTING UNOPPOSED
12 vs.) MOTION TO CONTINUE TRIAL DATE
13 DAVID MANUEL ROSARIO,) AND PRETRIAL MOTIONS DEADLINE
14 Defendant.)
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17 THIS MATTER having come before the Court on defendant's unopposed
18 motion for a continuance of the trial and the pretrial motions due date, and the Court
19 having considered the facts set forth in the motion, the speedy trial waiver executed by
defendant, and the records and files herein, the Court finds as follows:

20 The Court finds that the ends of justice will be served by ordering a continuance
21 in this case, that a continuance is necessary to ensure adequate time for effective case
22 preparation, and that these factors outweigh the best interests of the public and
23 defendant in a speedy trial.

24 1. A failure to grant the continuance would deny defense counsel the reasonable
25 time necessary for effective preparation, taking into account the exercise of due
diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the failure
26 to grant a continuance in the proceeding would likely result in a miscarriage of justice,
within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

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28 ORDER GRANTING UNOPPOSED
29 MOTION TO CONTINUE TRIAL DATE AND
30 PRETRIAL MOTIONS DEADLINE - 1
(*David Rosario*; CR20-133RAJ)

31 FEDERAL PUBLIC DEFENDER
32 1601 Fifth Avenue, Suite 700
33 Seattle, Washington 98101
34 (206) 553-1100

2. The ends of justice will be served by ordering a continuance in this case, as a continuance is necessary to ensure adequate time for the defense to effectively prepare for trial. All of these factors outweigh the best interests of the public and defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).

IT IS THEREFORE ORDERED that defendant's Motion to Continue Trial Date and Pretrial Motions Deadline (Dkt. #22) is GRANTED. The trial date shall be continued from October 26, 2020, to April 12, 2021. All pretrial motions, including motions in limine, shall be filed no later than March 4, 2021.

IT IS FURTHER ORDERED that the resulting period of delay from the date of this order to the new trial date of April 12, 2021, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

DATED this 25th day of September, 2020.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge

**ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL DATE AND
PRETRIAL MOTIONS DEADLINE - 2**
(David Rosario; CR20-133RAJ)

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